

CHAPTER 2 GENERAL PROVISIONS

[Prior to 5/4/88, see Appeal Board, State[60] Ch 2]

543—2.1(17A) Organization. The state appeal board is an agency of the state having as its purpose the review of objections to public contracts and bonds and to the budgets of counties, school districts, cities, agricultural extension districts, assessors, and county hospitals, and the approval or rejection and payment of claims against the state. The state appeal board consists of the director of the department of management, auditor of state, and treasurer of state and conducts hearings in the above matters. Information may be obtained from and submissions or requests may be made to the Secretary of the State Appeal Board located in the State Capitol Building, Des Moines, Iowa 50319.

543—2.2(17A) Definitions. The following words used in this chapter shall have the meaning hereinafter ascribed to them:

“*Board*” means the state appeal board as set forth in Iowa Code section 24.26.

“*Contested case*” has the meaning given it in Iowa Code section 17A.2(2), but does not include proceedings under Iowa Code chapter 24, 25 or 25A.

543—2.3(17A) Request for rule change. An interested person may file with the secretary of the board a written request that the board adopt, amend, or repeal a rule. To be valid, the request shall:

1. Be addressed to the secretary of the board.
2. State the names of those requesting the change.
3. Set forth the proposed rule, or the prior rule as it would be after amendment.
4. Describe specifically the reason for the proposed rule or requested change.
5. Describe the statutory authority for the new rule or requested change. Within 60 days of the receipt by the secretary of the request, the board shall either deny the request stating the reasons for denial in writing or initiate rule-making proceedings in accordance with Iowa Code chapter 17A.

543—2.4(17A) Declaratory rulings. Any interested person(s) may submit to the secretary of the board a petition for declaratory ruling regarding the application of a statute, rule, decision, order, or other written statement of law or policy to a specific factual situation. The petition requesting the ruling shall contain the name(s) of the person(s) requesting the ruling, the specific factual background of the question, the statute, rule, decision, order or other written statement of law or policy deemed applicable and the reasons for the request. The board may demand that the request be clarified or that additional facts be set forth. Failure of the person(s) requesting declaratory ruling to clarify the request or set forth additional facts to the satisfaction of the board shall be grounds for dismissal of the petition.

543—2.5 Rescinded, effective 4/7/82.

543—2.6 Rescinded, effective 4/7/82.

543—2.7(24) Budget appeals. In resolving appeals filed under Iowa Code chapter 24, the board possesses broad discretionary power to determine the manner in which objections are presented and the conduct of hearings and appeals. All proceedings shall be simple and informal and need not conform to technical rules or procedures except to the extent specific administrative rules have been adopted.

This rule is intended to implement Iowa Code sections 24.26 to 24.32.

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